

REMARKS

The Applicants request that the Amendment After Final that was previously presented in this case not be entered, and, instead, that this RCE application be considered in view of the present Amendment.

In the present Amendment, Claims 1-31 are cancelled and new claims 32-50 are presented. As discussed below, new claims 32-50 are believed to be clearly differentiated from the prior art previously presented in this case, therefore, allowance is requested.

Lebl et al. (U.S. 6,045,755)

New claim 32 recites an apparatus including a test reactor configured to accept the vessel and means located within the test reactor to destroy the vessel in order to open the vessel. Lebl et al. does not disclose or suggest an apparatus including a test reactor configured to accept the vessel or means located within the test reactor to destroy the vessel in order to open the vessel.

Lebl et al. discloses an apparatus for performing combinatorial chemistry synthesis protocols where the synthesis occurs in reaction vessels. The Lebl et al. apparatus does not include or suggest a test reactor configured to accept his reaction vessels. In contrast, Lebl et al. indicates that to analyze the synthesized compounds, the compounds must be removed from their containers and undergo additional processing prior to any analysis. *See* Lebl et al., col. 41, lines 53-58. Further, because Lebl et al. does not disclose a test reactor, the patent cannot be said to disclose or suggest means located within a test reactor to destroy a reaction vessel in order to open the vessel. Rather, Lebl et al. discloses preparing samples for gas chromatographic and mass spectrometric analysis outside their "test tubes." *Id.*

Because Lebl et al. does not disclose or suggest either an apparatus including a test reactor configured to accept a vessel or means located within the test reactor to destroy the vessel in order to open the vessel, new claim 32 is neither anticipated nor made obvious by Lebl et al. under 35 U.S.C. §§ 102/103. Dependent claims 33-44 contain features that further distinguish those claims from the disclosure of Lebl et al. and, thus, are neither anticipated nor made obvious by Lebl et al. under 35 U.S.C. §§ 102/103.

Guan et al. (U.S. 6,149,882)

New claim 45 recites a closed vessel configured to contain a substance, and a synthesis chamber configured to contain the closed vessel and establish or maintain a protective gas atmosphere. Guan et al. does not disclose or suggest a closed vessel configured to contain a substance, and a synthesis chamber configured to contain the closed vessel and establish or maintain a protective gas atmosphere.

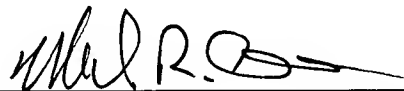
Guan et al. discloses an apparatus and method for the testing of compounds. The apparatus of Guan et al. passes potentially reactive gases/liquids over the compounds to be tested. Guan et al. does not disclose or suggest the combination of a closed vessel configured to contain a substance, and a synthesis chamber configured to contain the closed vessel and establish or maintain a protective gas atmosphere.

Because Guan et al. does not disclose or suggest either a closed vessel configured to contain a substance, or a synthesis chamber configured to contain the closed vessel and establish or maintain a protective gas atmosphere, new claim 45 is neither anticipated nor made obvious by Guan et al. under 35 U.S.C. §§ 102/103. Dependent claims 46-50 contain features that further distinguish those claims from the disclosure of Guan et al. and, thus, are neither anticipated nor made obvious by Guan et al. under 35 U.S.C. §§ 102/103.

Conclusion

For the reasons discussed above, the Applicants respectfully submit that the application is in condition for allowance and allowance is requested.

Respectfully submitted,



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